IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.56504-M of 2006

DATE OF DECISION: OCTOBER 27, 2006

Darshan Kaur

...PETITIONER

VERSUS

The State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Gautam Dutt, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.
Mr.K.S.Sekhon, Advocate,
for the complainant.

...

Petitioner Darshan Kaur, who is mother-in-law of the deceased, has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.85 dated 7.7.2006 registered under Sections 304-B/34 IPC at Police Station Dirba, District Sangrur.

I have heard the counsel for the parties and gone through the contents of the FIR as well as the order dated 5.9.2006 passed by the Additional Sessions Judge, Sangrur, vide which bail has been declined to the petitioner.

In this case, the petitioner is in custody since July, 2006. Her husband and son (husband of the deceased) are also in custody. Counsel for the petitioner contends that except three members, there is no other member in the family who can look after the eight months old child of the deceased. Counsel further contends that at present the child is residing with the co-villagers. Counsel also contends that the petitioner has been falsely

implicated on the alleged demand of dowry as initially it was stated that the deceased died due to strangulation, whereas subsequently it came on record that she died due to poisoning. Counsel further contends that till date no prosecution witness has been examined. The trial is not going to conclude soon.

Keeping in view these facts and the fact that the petitioner is an old lady and there is nobody in the family to look after the eight months old child, and that the trial is not going to be concluded in the near future, I deem it appropriate to grant regular bail to the petitioner, and she is accordingly ordered to be released on bail to the satisfaction of the trial Court.

October 27, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE